

AN ACT

ENTITLED, An Act to revise certain requirements of written contract documents for public improvements.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. That § 5-18-11 be amended to read as follows:

5-18-11. All contracts shall be made and set forth in writing and shall be signed on behalf of the public corporation by the proper officials and with the formalities required by the governing statutes regulating the particular public corporation involved. The writing shall embody all of the terms, conditions, and agreements of the contract. If a contract is based upon plans and specifications prepared by an architect or engineer, its terms and conditions shall comply with the provisions provided in the "General Conditions of the Contract for Construction", Fourteenth Edition, by the American Institute of Architects in effect on January 1, 1995, the "ConsensusDOCS 200 Standard Agreement and General Conditions Between Owner and Contractor," by ConsensusDOCS LLC in effect January 1, 2009, or the "Standard General Conditions of the Construction Contract," 1990 Edition, by the Engineer's Joint Contract Documents Committee, in effect January 1, 1996, except when in conflict with the laws of this state. However, the public corporation may modify or delete any portion of the "General Conditions of the Contract for Construction," "ConsensusDOCS 200 Standard Agreement and General Conditions Between Owner and Contractor," or the "Standard General Conditions of the Construction Contract."

An Act to revise certain requirements of written contract documents for public improvements.

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I certify that the attached Act
originated in the

HOUSE as Bill No. 1212

Chief Clerk
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Speaker of the House

Attest:

Chief Clerk

President of the Senate

Attest:

Secretary of the Senate

House Bill No. 1212

File No. _____

Chapter No. _____

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Received at this Executive Office
this _____ day of _____ ,

20____ at _____ M.

By _____
for the Governor
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The attached Act is hereby
approved this _____ day of
_____, A.D., 20____

Governor
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STATE OF SOUTH DAKOTA,
ss.
Office of the Secretary of State

Filed _____, 20____
at _____ o'clock __ M.

Secretary of State

By _____
Asst. Secretary of State